Joseph R. Saveri (State Bar No. 130064)
Cadio Zirpoli (State Bar No. 179108)
Christopher K.L. Young (State Bar No. 318371)
Travis Manfredi (State Bar No. 281779)
Kathleen J. McMahon (State Bar No. 340007)
JOSEPH SAVERI LAW FIRM, LLP
601 California Street, Suite 1000
San Francisco, California 94108
Telephone: (415) 500-6800
Facsimile: (415) 395-9940
Email: jsaveri@saverilawfirm.com
                czirpoli@saverilawfirm.com
                cyoung@saverilawfirm.com
                tmanfredi@saverilawfirm.com
                kmcmahon@saverilawfirm.com

Matthew Butterick (State Bar No. 250953)
1920 Hillhurst Avenue, #406
Los Angeles, CA 90027
Telephone: (323) 968-2632
Facsimile: (415) 395-9940
Email: mb@butticklaw.com

Counsel for Individual and Representative
Plaintiffs and the Proposed Class

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

Richard Kadrey, et al.,	Lead Case No. 3:23-cv-03417-VC
Individual and Representative Plaintiffs,	
v.	**DECLARATION OF JOSEPH R. SAVERI IN SUPPORT OF PLAINTIFFS' ADMINISTRATIVE MOTION TO CONSIDER WHETHER CASES SHOULD BE RELATED (L.R. 3-12, 7-11)**
Meta Platforms, Inc.,	
Defendant.	

Lead Case No. 3:23-cv-03417-VC

DECLARATION OF JOSEPH R. SAVERI IN SUPPORT OF PLAINTIFFS' ADMINISTRATIVE MOTION TO
CONSIDER WHETHER CASES SHOULD BE RELATED (L.R. 3-12, 7-11)

I, Joseph R. Saveri, declare as follows:

1.   I am an attorney duly licensed to practice in the State of California. I am a partner and founder of the Joseph Saveri Law Firm, LLP, counsel of record for Plaintiffs Richard Kadrey, Sarah Silverman, and Christopher Golden in this matter (the "*Kadrey* Action"). I have personal knowledge of the matters stated herein and, if called upon, could competently testify thereto. I make this declaration pursuant to 28 U.S.C. Section 1746 in support of Plaintiff's Administrative Motion to Consider Whether Cases Should be Related.

2.   Attached hereto as **Exhibit A** is a true and correct copy of the Complaint in *Huckabee, et al. v. Meta Platforms Inc., et al.,* No. 3:23-cv-06663-HSG (N.D. Cal.) (the "*Huckabee* Action"). In both the *Kadrey* and *Huckabee* Actions, plaintiffs allege, on behalf of highly similar putative classes, Defendant Meta Platforms, Inc. ("Meta" or "Defendant") engaged in actions related to the creation and operation of LLaMA and other large language models that violated Plaintiffs' rights under the Copyright Act (17 U.S.C. § 106). The *Huckabee* Action also contains causes of action for Vicarious Copyright Infringement; violation of the Digital Millennium Copyright Act (17 U.S.C. §§ 1201–1205); Negligence; and Unjust Enrichment—all of which were alleged in the original Complaints in the *Kadrey* and *Chabon* Actions. The *Huckabee* and *Kadrey* Actions concern substantially the same parties, products, and events. Both are class actions, with the initial complaints in each including many common causes of action. Both complaints focus on the same actions by Meta, such as the creation, training, operation, and distribution of its large language models. Both actions assert Meta violated Plaintiffs' rights under the Copyright Act by engaging in direct copyright infringement. Both actions request damages, declaratory judgment, and injunctive relief resulting from that conduct.

3.   Civil Local Rule 3-12 requires that this Administrative Motion to Consider Whether Cases Should be Related be promptly filed. The *Huckabee* Action was transferred to this District from the Southern District of New York on December 29, 2023.

4.   Meta has been served and appeared in the *Kadrey, Chabon,* and *Huckabee* Actions and agrees the *Huckabee* Action should be related to the *Kadrey* Action.

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DECLARATION OF JOSEPH R. SAVERI IN SUPPORT OF PLAINTIFFS' ADMINISTRATIVE MOTION TO CONSIDER WHETHER CASES SHOULD BE RELATED (L.R. 3-12, 7-11)

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 16, 2024.

By: */s/ Joseph R. Saveri*
          Joseph R. Saveri

DECLARATION OF JOSEPH R. SAVERI IN SUPPORT OF PLAINTIFFS' ADMINISTRATIVE MOTION TO
CONSIDER WHETHER CASES SHOULD BE RELATED (L.R. 3-12, 7-11)